

D270265

Encl #1
Pelynd
CIA

- 20 -

THE ARTUKOVIC CASE
(Vjesnik u Rijadu, Zagreb, June 22, 1955)

The writer of this article is Dragutin Desput, the Zagreb Public Prosecutor, who spent recently two months in the US collaborating on the question of Andrija Artukovic's extradition. Desput has presented in this article the history of Artukovic's crimes and Yugoslavia's attitude with regard to his extradition.

The author of this article goes on to describe at length Artukovic's crimes committed in Croatia in the course of the last war. The list of his crimes covers some 25 pages. His escape from Yugoslavia, his stay in Austria and his journey to the US with Vatican help and under a false name are also mentioned.

When the Yugoslav authorities heard that Artukovic was living in the US under his real name they demanded his extradition as far back as 1946. The reply was that his whereabouts were unknown. In 1951 Yugoslavia applied to the competent American court for his extradition. Yugoslavia's request was based on the Convention for extradition of criminals concluded between the Kingdom of Serbia and the US in 1901. Artukovic was arrested on the basis of it but later released on bail (\$ 50,000).

The author goes on to describe judicial procedure in the US which is extremely complicated and expensive and in this regard Artukovic's situation is not at all brilliant, but he is getting any amount of help from some circles in the US. The writer does not mention specifically which circles, but says that these "merciful hearts" would consider Artukovic's extradition as their own political disfigurement. All sorts of legal points have been raised, which are not important, but yet have an effect and influence on some circles with certain conceptions particularly those in the US at the time of the anti-communist hysteria imposed by the most reactionary circles. Artukovic was always emphasizing in court that he and his family were good Catholics. His case was heard in many courts. Artukovic asserts that the acts of which he is accused have been perpetrated under conditions of strife for power in the course of the last war, which is factually a political struggle and as such they are of a political character, Artukovic concludes.

However, war crimes cannot be identified with political crimes. The Yugoslav request

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2003 2006

points out specially President Truman's speech in Congress, when submitting his report on the activities of the UN at which session resolutions on war crime and genocide were adopted, in which he declared that the US will extradite every war criminal at the demand of the interested country so long it submits fundamental evidence. It is obvious that Truman would not have made this statement, if he, as the supreme representative of the US, believed a war crime to be a political crime. Truman also said in his report that Yugoslavia looked with distrust and scepticism on the readiness of some members of the UN, when it is the question of extradition of war criminals. Truman reiterated the willingness of the US to extradite war criminals if 'prima facie' proofs were submitted. The author goes on to conclude that events have proved that Yugoslavia's scepticism was not unjustified.

The author of the article writes at length about the explicit character and documentation of Yugoslavia's demand for Artukovic's extradition.

When the author of this article came back from the US, he was asked by people if and when Artukovic is going to be handed over to the Yugoslav authorities. He replied that this is a question which cannot be answered with yes or no. "We have one procedure - the Americans another. Essential differences exist between the systems of Yugoslav and American democracy. Because of these differences, one should await the final decision of the competent bodies in the US and in this phase of the procedure, we have to await the final decision of American courts".

"Opinion prevails that the decision will be in our favour finally. It is hard to believe that a final judicial decision could be brought in the US which would proclaim the murder of men, women and particularly children, as political acts or political crimes". The author says that this is not only the Yugoslav conviction, but also that of American jurists, lawyers etc.

"In a number of official and private meetings with the American lawyer and university professor in Washington, Dr. Lesser, and with our legal adviser in the Artukovic case, Walker, of Los Angeles, the essential side of the case was never questioned. The talks which were conducted move in the direction of examining and establishing the legal construction and its corresponding argumentation, because this is the first case in American judicial experience that an extradition demand has been submitted against an ordinary criminal and a major war criminal at the same time".

Judging by the time this process has been afoot and bearing in mind Artukovic's basic aim

(to gain time) and legal possibilities to achieve it, a final decision on this matter cannot be expected soon. Competent bodies in the US have now stopped the deportation procedure against Artukovic which was otherwise under way. This was done in order not to prevent the achievement of the Yugoslav extradition demand. Because, if Artukovic was deported nothing would come of the final decision because Artukovic would be in another country.

Andrija Artukovic as a self-named politician and anti-communist and as a physical being is absolutely uninteresting and without any value to Yugoslavia. The meaning of the process against Artukovic is much more profound. The punishment of such a major war criminal as Artukovic, is essential from the viewpoint of international legal protection of mankind, it is in the spirit of humanness, justice and democratic principles in general. And in order to achieve these principles, Yugoslavia will neither spare efforts in the future.

(Summary - parts in quotes translated in full.)

FIRST MEETING OF THE PEOPLE'S COMMITTEE OF THE PIROT DISTRICT
(Politika, July 15, 1955)

Pirot, July 14.- The first meeting of the People's Committee of the new Pirot District, after the election of new committeemen by the former people's committees of the Dimitrovgrad, Loznica and Nisava districts, was held. Branimir Ciric, deputy of the FPA, was elected president of the new district people's committee, Jovan Bacic and Todor Vevcev are the new vice-presidents. Arsta Mihailovic has been elected president of the District Council, while Bosko Milenkovic is the new president of the Council of Producers.

(Initialled D.J.)